

BOARD OF APPEAL REFERRALS

FEBRUARY 17, 1977

1. Z-3782 Kosta Papoulidis
1090-1100 Dorchester Avenue, Dorchester
2. Z-3783 Trustees of Boston University
700 Commonwealth Avenue, Boston
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6. Z-3801 The Provident Institution for Savings
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49 Parley Avenue, Jamaica Plain

MEMORANDUM

February 17, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert F. Walsh, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Tabled 2/3/77

Hearing: 3/1/77

Petition No. Z-3782
Kosta Papoulidis
1090-1100 Dorchester Avenue, Dorchester
at Savin Hill Avenue

One-story structure - local business (L-1) district.

Purpose: to change occupancy from ten stores to auto school, laundromat, and two stores.

Violation:

Section 8-7. An automobile driving school is conditional in an L-1 district.

Laundromat and variety store are existing. Site, on a major artery, is appropriate for auto-oriented facility. Proposed uses are consistent with the immediate local business area. Recommend approval with proviso.

VOTED: In reference to Petition No. Z-3782, brought by Kosta Papoulidis, 1090-1100 Dorchester Avenue, Dorchester, for a conditional use for a change of occupancy from stores to auto driving school, laundromat, and two stores in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for suitable treatment of vacant parcel on Savin Hill Avenue and design review. Site, on a major artery, is appropriate for auto-oriented facility. Uses are consistent with the immediate local business area.



2-3782

1090-1100 DORCHESTER AVE
(DOR.)

Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3783
Trustees of Boston University
700 Commonwealth Avenue, Boston
near Cummington Street

Eighteen-story structure (dormitory, garage, dining, social, administrative, commercial space) - apartment (H-4) district.

Purpose: to delete proviso from previous Board of Appeal decision.

Violation:

Section 7-4. Contrary to previous decision of Board of Appeal.

In September 1975, the Board of Appeal, with Authority concurrence, granted petitioner a conditional use to convert garage space to retail stores. The following proviso was attached: "that the retail portions only of the premises at 700 Commonwealth Avenue shall be taxable property; that neither the appellant nor any successor in interest to the appellant shall convey the property in such a manner as to make the property exempt from real estate taxes; and that no abatement reduction or exclusion will be sought for any real estate taxes now or hereinafter assessed." Petitioner has no objection to payment of taxes, but contends proviso denies right to appeal amount of any real estate tax levied against petitioner.

The proviso requiring the payment of taxes on commercial space is consistent with City policy on institutional development. However, the staff has no objection to the deletion of the last clause denying the right to abatement. Recommend approval of deletion of last clause of proviso only.

VOTED: In reference to Petition No. Z-3783, brought by the Trustees of Boston University, 700 Commonwealth Avenue, Boston, for a variance to delete proviso from a previous Board of Appeal decision, in an apartment (H-4) district, the Boston Redevelopment Authority would interpose no objection to the deletion of the last clause of the proviso, which reads "and that no abatement reduction or exclusion will be sought for any real estate taxes now or hereinafter assessed."

Z-3783
700 COMMONWEALTH AVE.
(B.P.)



Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3784
Christian Businessman's Multi-Service
3-7-9 Edgewood Street, Roxbury
near Warren Street

Two-story masonry structure - general business (B-1) district.

Purpose: to change occupancy from brush factory, shipping, trucking, and garage to self-service repair shop garage.

Violation:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Proposal would allow motorists to repair their own vehicles under supervision of mechanic. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3784, brought by Christian Businessman's Multi-Service, 3-7-9 Edgewood Street, Roxbury, for a change in a nonconforming use for a change of occupancy from brush factory, shipping, trucking, and garage to self-service repair shop garage in a general business (B-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that all work be performed within the structure; that no exterior parking or vehicular storage be allowed; that facility operate within the hours of 8 A.M. to 6 P.M. Monday through Saturday; that no sale or storage of gasoline be allowed.

Z-3784
3-7-9 EDGEWOOD ST
(ROX.)



Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3786
Pasquale V. Rao
89 Myrtle Street, Boston
at Anderson Street

Four-story structure - apartment (H-2-65) district.

Purpose: to change occupancy from five apartments and store to seven apartments and real estate office.

Violation:

Section 8-7. A real estate office is forbidden in an H-2-65 district.

Use is existing and is consistent with residential-local business character of the neighborhood. Office has improved appearance of structure. Recommend approval.

VOTED: In reference to Petition No. Z-3786, brought by Pasquale V. Rao, 89 Myrtle Street, Boston, for a forbidden use for a change of occupancy from five apartments and store to seven apartments and real estate office in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval. Proposal is consistent with residential-local business character of the neighborhood. Office has improved the appearance of the structure.



Z-3786
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(B.P.)

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Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3791
William Katsenes
530 Western Avenue, Brighton
at Birmingham Parkway

One-story frame structure - 13,283 square feet of land -
local business (L-1) district.

Purpose: to legalize occupancy: gas service station and sale of used cars.

Violation:

Section 8-7. Outdoor sale or display for sale of used motor vehicles
is forbidden in an L-1 district.

Condition has existed for several years. There is no apparent community
objection. Recommend approval.

VOTED: In reference to Petition No. Z-3791, brought by
William Katsenes, 530 Western Avenue, Brighton,
for a forbidden use to legalize occupancy for
gas service station and sale of used cars in a
local business (L-1) district, the Boston
Redevelopment Authority recommends approval.
Condition has existed for several years. There
is no apparent community objection.

Z-3791

530 WESTERN AVE.
(BRI.)



Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3801
The Provident Institution for Savings
572 Freeport Street, Dorchester
near Morrissey Boulevard

Three frame dwellings (3, 3, 2½ stories - to be demolished) - residential
(R-.8) district.

Purpose: to combine four lots; to erect one-story circular bank structure.

Violations:

	<u>Required</u>	<u>Proposed</u>
Section 8-7. A bank with drive-in facilities is forbidden in an R-.8 district.		
Section 10-1. Parking is not allowed in front yard.		
Section 18-1. Front yard is insufficient.	25 ft.	2 ft.
Section 20-1. Rear yard is insufficient.	40 ft.	20 ft.

Staff and Popes Hill Neighborhood Association have participated in the planning of the facility. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3801, brought by The Provident Institution for Savings, 572 Freeport Street, Dorchester, for a forbidden use and three variances to combine four lots and to erect a one-story bank structure in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that a second drive-in teller station be provided; that petitioner assist in the relocation of tenants; that plans, inclusive of landscaping, signs, and lighting, be submitted to the Authority for design review.



Z-3801

572 FREEPORT ST.
(DOR.)

Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3811
Gerard M. Martin
72 Montebello Road, Jamaica Plain
near Washington Street

Two-story frame structure - residential (R-.8) district.

Purpose: to change occupancy from nursing home to office building.

Violation:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Structure does not now conform to HEW Life Safety Code standards. Conversion to office use at this site would be inappropriate and undesirable. Inadequate parking would only aggravate the existing major parking problem on the street. All abutting properties are residential. Proposal would be counter to neighborhood efforts to strengthen residential occupancy. There is substantial opposition.
Recommend denial.

VOTED: In reference to Petition No. Z-3811, brought by Gerard M. Martin, 72 Montebello Road, Jamaica Plain, for a change in a nonconforming use for a change of occupancy from nursing home to office building in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Conversion to office use at this site would be inappropriate and undesirable. Inadequate parking would only aggravate the existing major parking problem on the street. All abutting properties are residential. Proposal would be counter to neighborhood efforts to strengthen residential occupancy. There is substantial opposition.

Z-3811
62 MONTEBELLO RD.
(J.P.)

8

Board of Appeal Referrals 2/17/77

Hearing: 3/8/77

Petition No. Z-3812
Agatha Martin
49 Parley Avenue, Jamaica Plain
near Rockview Street

2½-story frame structure - residential (R-.5) district.

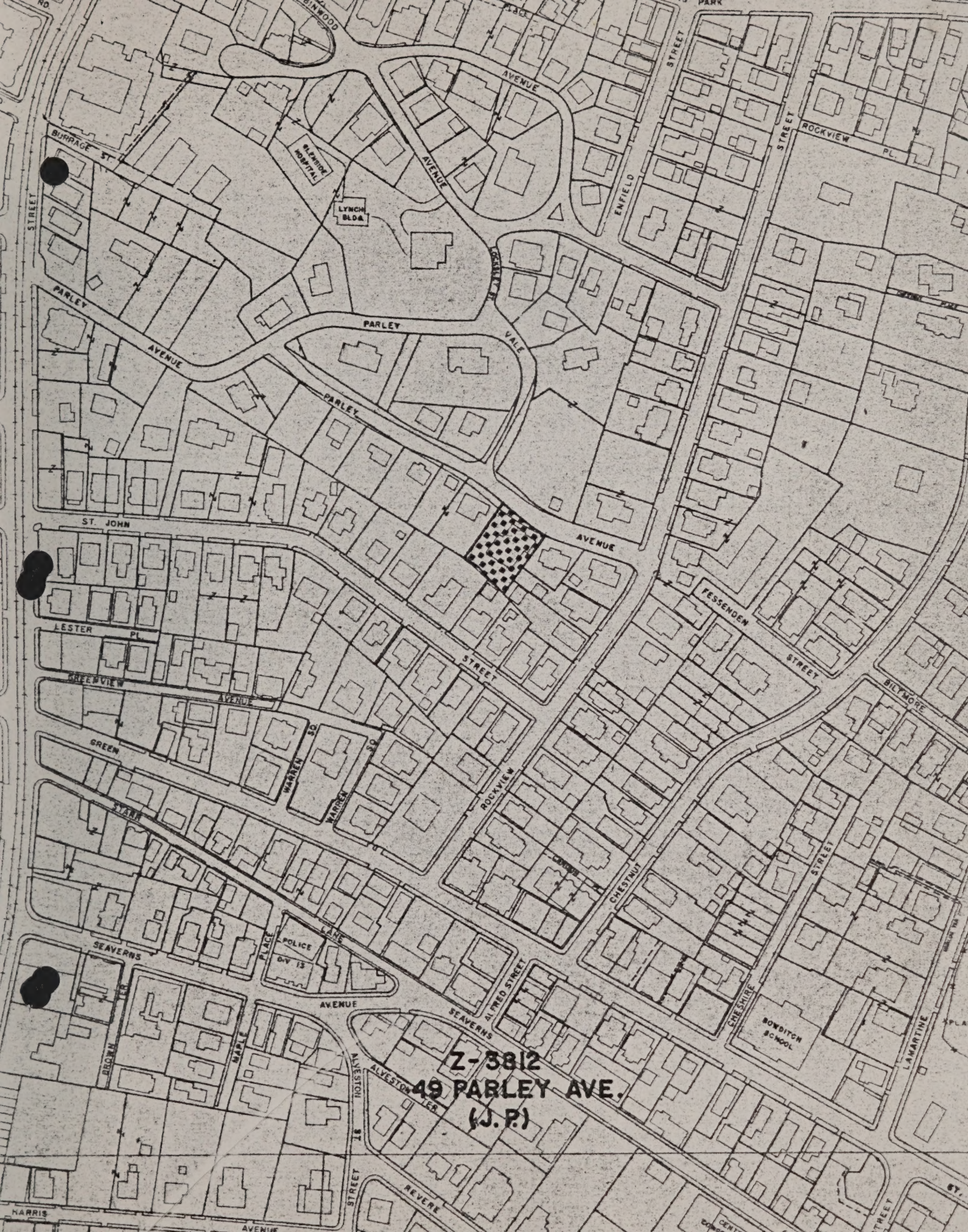
Purpose: to change occupancy from nursing home to office building.

Violation:

Section 9-2. A change in a nonconforming use requires Board of Appeal hearing.

Structure does not conform to HEW Life Safety Code standards. Office use for professional persons would not have an adverse effect on this mixed-use residential-institutional area. Recommend approval with provisos.

VOTED: In reference to Petition No. Z-3812, brought by Agatha Martin, 49 Parley Avenue, Jamaica Plain, for a change in a nonconforming use for a change of occupancy from a nursing home to an office building in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that landscaped off-street parking be provided for 17 cars; that the use be restricted to professional offices only; that no exterior architectural changes be allowed; that the hours of operation be restricted to 7 A.M. to 7 P.M.; that plans be submitted to the Authority for design review.



Z-3812
49 PARLEY AVE.
(J.P.)

